

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

---

AMERICAN CIVIL LIBERTIES UNION OF  
MASSACHUSETTS, INC.,

Plaintiff,

v.

U.S. IMMIGRATION AND CUSTOMS  
ENFORCEMENT,

Defendant.

---

Civil Action No. 1:19-cv-10690-LTS

**JOINT STATEMENT**

Pursuant to Local Rule 16.1(d), Plaintiff American Civil Liberties Union of Massachusetts, Inc. (“ACLUM”) and Defendant U.S. Immigration and Customs Enforcement (“ICE”) submit the following proposed briefing schedule.

Plaintiff filed this case under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, to obtain records from Defendant regarding public comments by ICE personnel to attendees at the National Sheriff’s Association 2019 Winter Conference. Because this action arises out of a FOIA dispute, the parties do not believe that discovery will be necessary. Accordingly, the parties recommend that the Court cancel the Rule 16 Conference and adopt the parties’ joint statement.

1. ***Vaughn Index***. Defendant ICE shall provide Plaintiff with a *Vaughn* index at the time it files its dispositive motion.

2. **Amendment to Pleadings.** Except for good cause shown, no motions seeking leave to add new parties or to amend the pleadings to assert new claims or defenses may be filed after *July 26, 2019*.
3. **Dispositive Motions.** Defendant's motion for summary judgment must be filed by *August 16, 2019*. Plaintiff's opposition and any cross-motion for summary judgment shall be filed by *September 13, 2019*. Motions and oppositions shall not exceed twenty (20) pages. Replies, not to exceed five (5) pages, may be filed within ten (10) days after the relevant opposition.

Dated: June 5, 2019

Respectfully submitted,

/s/ Jessica Lewis

Matthew R. Segal (BBO #654489)  
Daniel L. McFadden (BBO #676612)  
Jessica Lewis (BBO #704229)\*  
American Civil Liberties Union  
Foundation of Massachusetts, Inc.  
211 Congress Street  
Boston, MA 02110  
(617) 482-3170  
msegal@aclum.org  
dmcfadden@aclum.org  
jlewis@aclum.org

/s/ Susan Poswistilo

SUSAN M. POSWISTILO (BBO #565581)  
Assistant U.S. Attorney  
John J. Moakley Federal Courthouse  
One Courthouse Way, Ste. 9200  
Boston, MA 02210  
(617) 748-3103  
susan.poswistilo@usdoj.gov